



FY23 Executive Budget

Schedule 01 — Executive Department Agencies

Executive Department

Management and
Regulatory Agencies
Supporting the
Executive Branch of
State Government

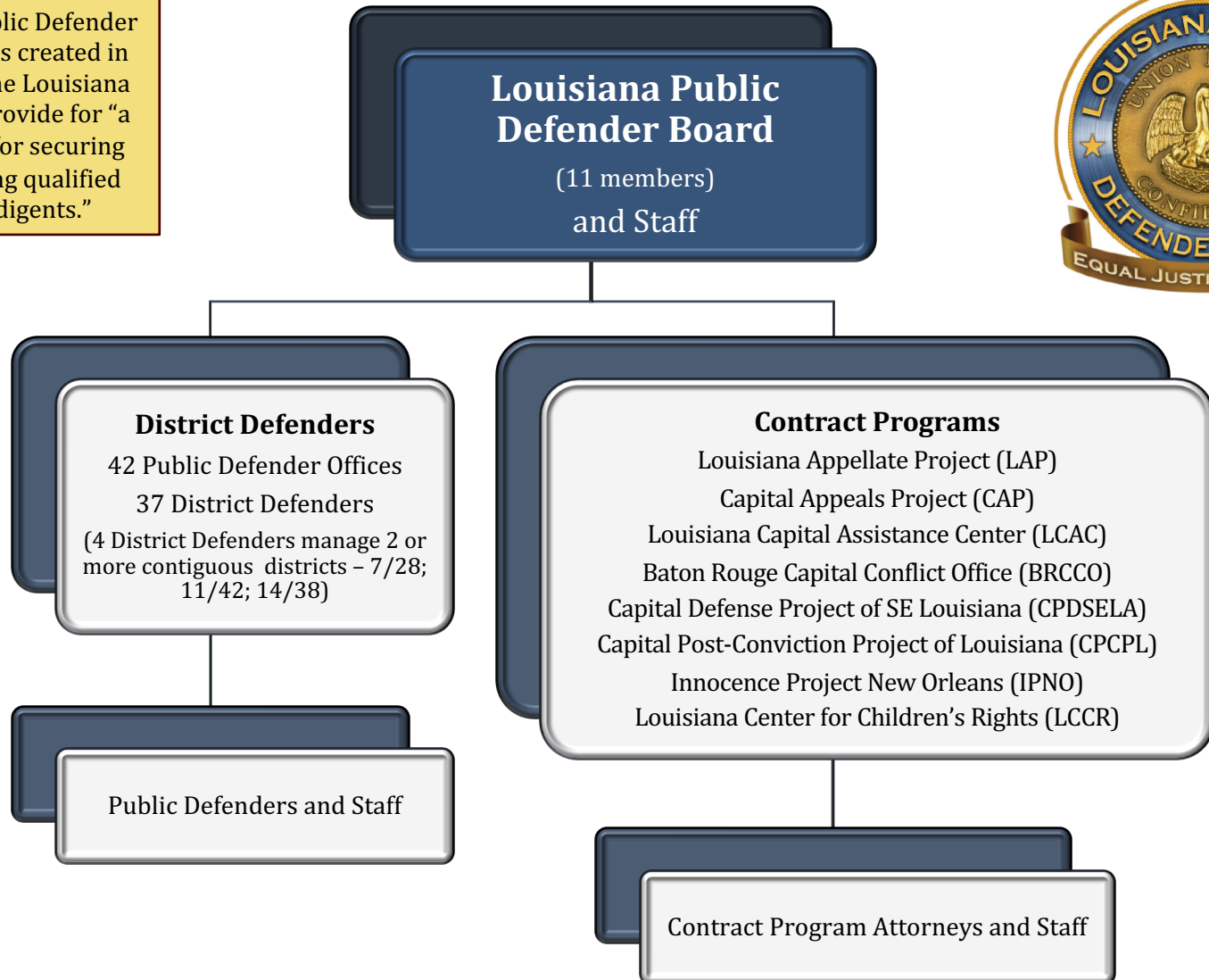
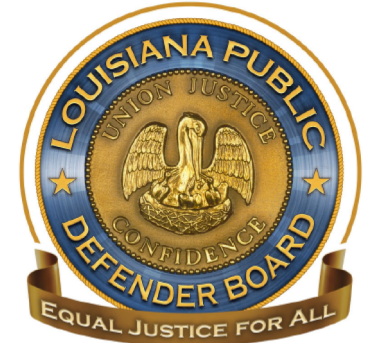
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01-116 Louisiana Public Defender Board

Table of Organization

The Louisiana Public Defender Board (LPDB) was created in August 2007 in the Louisiana Constitution to provide for “a uniform system for securing and compensating qualified counsel for indigents.”



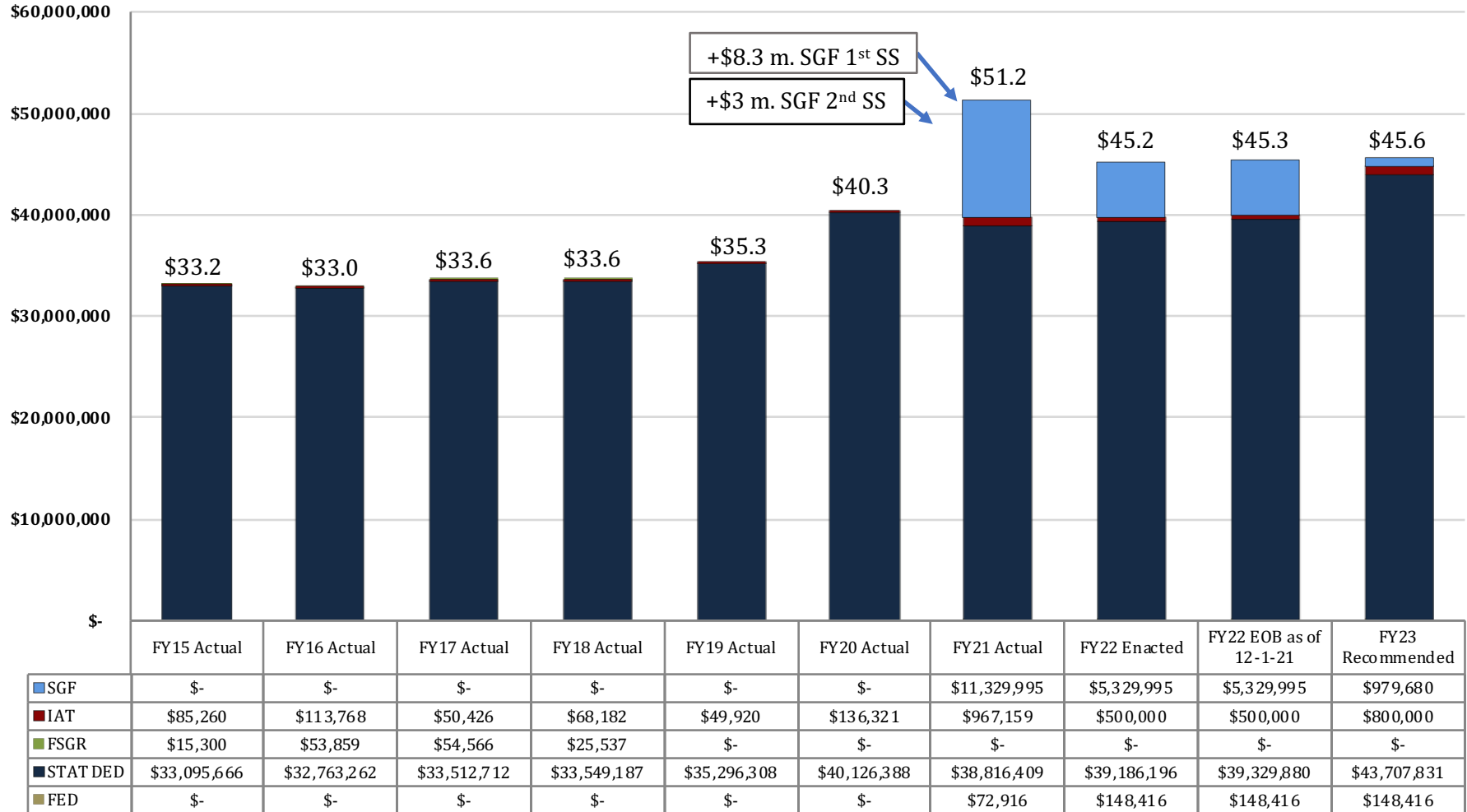


01-116 Louisiana Public Defender Board

Changes in Funding since FY15

Total Budget by Fiscal Year and Means of Finance (in \$ millions)

Change from FY15 to FY23 is +37%.
Change from FY15 to FY21 is +54%.





01-116 LPDB

Statewide Adjustments for FY23 Recommended

State General Fund (Direct)	Interagency Transfers	Fees and Self-generated Revenues	Statutory Dedications	Federal Funds	Total	T.O.	Adjustment
\$5,329,995	\$500,000	\$0	\$39,329,880	\$148,416	\$45,308,291	16	FY22 Existing Operating Budget as of 12-1-21
\$0	\$0	\$0	\$18,762	\$0	\$18,762	0	Market Rate Salary Adjustment – Classified
\$0	\$0	\$0	(\$5,076)	\$0	(\$5,076)	0	Related Benefits Base Adjustment
\$0	\$0	\$0	\$11,745	\$0	\$11,745	0	Retirement Rate Adjustment
\$0	\$0	\$0	\$2,635	\$0	\$2,635	0	Group Insurance Rate Adjustment for Active Employees
\$0	\$0	\$0	\$767	\$0	\$767	0	Group Insurance Rate Adjustment for Retirees
\$0	\$0	\$0	\$5,024	\$0	\$5,024	0	Salary Base Adjustment
\$0	\$0	\$0	(\$6,600)	\$0	(\$6,600)	0	Non-recurring Acquisitions and Major Repairs
\$0	\$0	\$0	(\$143,684)	\$0	(\$143,684)	0	Non-recurring Carryforwards
\$0	\$0	\$0	\$27,916	\$0	\$27,916	0	Risk Management
\$0	\$0	\$0	\$561	\$0	\$561	0	Rent in State-owned Buildings
\$0	\$0	\$0	\$76	\$0	\$76	0	UPS Fees
\$0	\$0	\$0	\$396	\$0	\$396	0	Civil Service Fees
\$0	\$0	\$0	\$3,447	\$0	\$3,447	0	Office of Technology Services (OTS)
\$0	\$0	\$0	\$75,699	\$0	\$75,699	0	27th Pay Period
\$0	\$0	\$0	(\$920)	\$0	(\$920)	0	Office of State Procurement
\$0	\$0	\$0	(\$9,252)	\$0	(\$9,252)	0	Total Statewide Adjustments
(\$2,350,315)	\$0	\$0	\$2,350,315	\$0	\$0	0	Total Means of Financing Substitution Adjustments
(\$2,000,000)	\$0	\$0	\$0	\$0	(\$2,000,000)	0	Total Non-Recurring Other Adjustments
\$0	\$300,000	\$0	\$2,036,888	\$0	\$2,336,888	1	Total Other Adjustments
\$0	\$0	\$0	\$0	\$0	\$0	0	Total Other Technical Adjustments Adjustment
\$0	\$0	\$0	\$0	\$0	\$0	0	Total Workload Adjustment
\$979,680	\$800,000	\$0	\$43,707,831	\$148,416	\$45,635,927	17	Total FY23 Recommended Budget
(\$4,350,315)	\$300,000	\$0	\$4,377,951	\$0	\$327,636	1	Total Adjustments (Statewide and Agency-Specific)

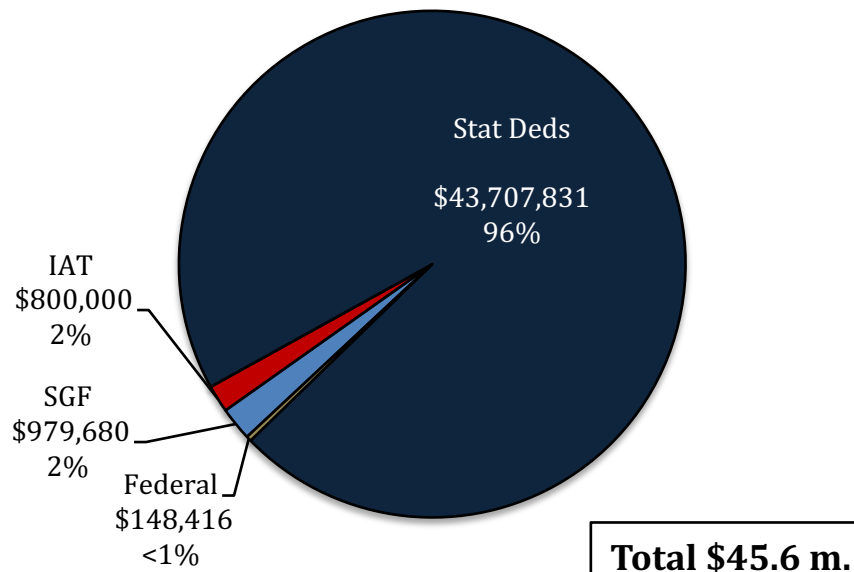


FY23 Executive Department

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Total Funding	FY21 Actual	FY22 Enacted	FY22 EOB as of 12-1-21	FY23 Recommended	Difference FY22 EOB to FY23 Recommended
LPDB	\$ 51,186,479	\$ 45,164,607	\$ 45,308,291	\$ 45,635,927	\$ 327,636
Total Positions	16	16	16	17	1

FY23 Recommended Total Means of Finance



FY23 Budget Adjustments:

\$0 Net – MOF swap reducing SGF by \$2.4 million and increasing dedicated funds by \$2.4 million.

(\$2 m.) SGF – Non-recurs one-time funding for district offices.

\$1.65 m. SD – Provides funding for the agency and district defender offices.

\$650 k. Net – Provides \$300 k. in Interagency Transfers and \$350 k. in Statutory Dedications for Child in Need of Care (CINC) cases.

\$30,288 SD – Converts one (1) existing Non-T.O. FTE position to an authorized T.O. position for an Auditor 2. The increase in funding is the difference needed in salaries and related benefits for a full year of funding for this position.

\$6,600 SD – Provides funding for the replacement of two laptops and two PCs.



FY23 Executive Department

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LPDB Dedicated Funds

Statutory Dedications	FY21 Actual	FY22 Enacted	FY22 EOB as of 12-1-21	FY23 Recommended	<i>Difference FY22 EOB to FY23 Recommended</i>
Louisiana Public Defender Fund	\$38,797,381	\$39,136,196	\$39,279,880	\$43,657,831	\$4,377,951
DNA Testing Post-Conviction Relief for Indigents Fund	\$19,028	\$50,000	\$50,000	\$50,000	\$0
Totals	\$38,816,409	\$39,186,196	\$39,329,880	\$43,707,831	\$4,377,951

Ninety-six percent of the budget for the Louisiana Public Defender Board comes from two dedicated funds.

Both of these dedications are funded through State General Fund appropriations in Schedule 20-XXX Funds through HB1.

The Louisiana Public Defender Fund is created in Title 15 and derives its funding from appropriations, donations, or other sources. It may be used solely for the provisions of the Louisiana Public Defender Act.

The DNA Testing Post-Conviction Relief for Indigents Fund is created in the Code of Criminal Procedure 926.1. It is funded solely through appropriations of the legislature and is administered by the Public Defender Board.

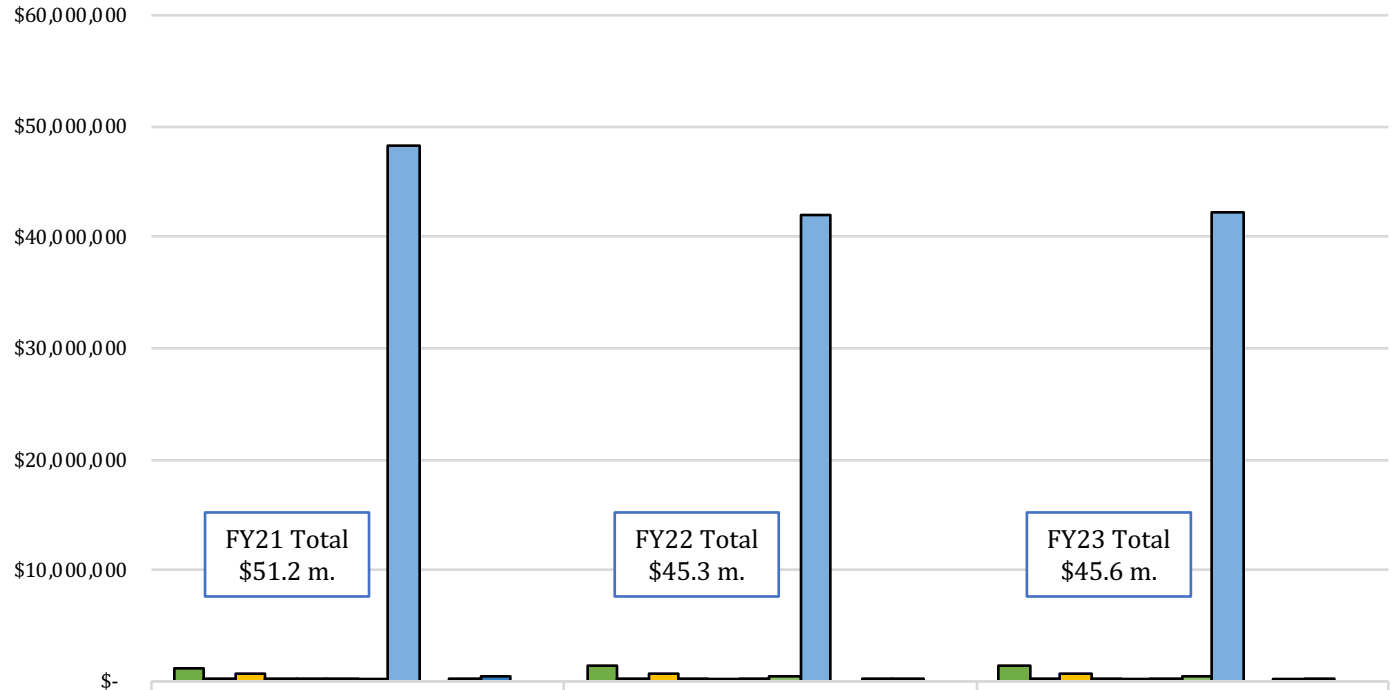


01-116 LPDB Categorical Expenditures FY21, FY22, and FY23

For FY23 Recommended, the largest Expenditure Category is Other Charges, which makes up over 92 percent of Total Expenditures.

The Other Charges category includes expenditures for professional services for trial, appellate, and post-conviction services; auditing services; DNA testing; indigent parent representation; district assistance; juvenile indigent defense; Title IV-E child welfare cases; and Miller cases (mandatory juvenile life sentences without possibility of parole are unconstitutional).

Personal Services contributes roughly 5 percent.



Personal Services

Operating Expenses

Professional Services

Other Charges

Acquisitions and Major Repairs

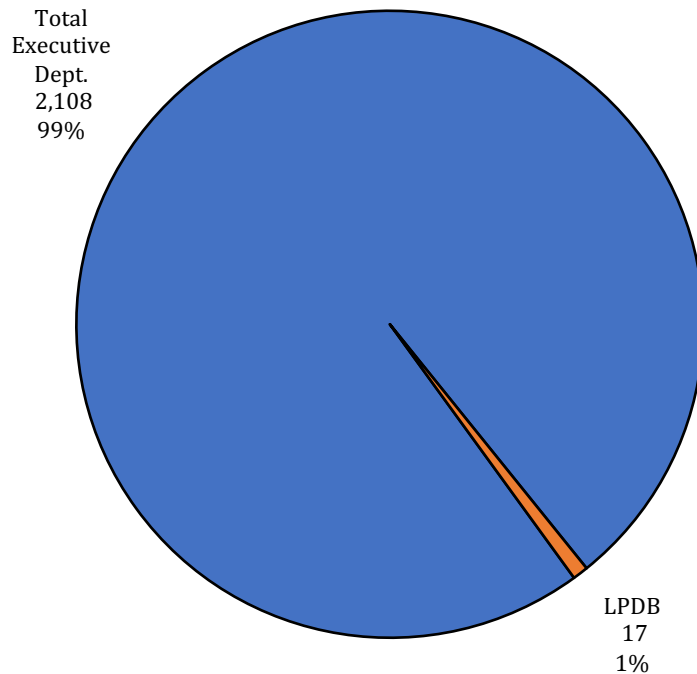
	FY21 ACTUAL	FY22 EOB as of 12-1-21	FY23 RECOMMENDED
Salaries	\$1,249,769	\$1,361,533	\$1,491,631
Other Compensation	\$35,958	\$151,779	\$113,549
Related Benefits	\$642,994	\$728,859	\$776,835
Travel	\$1,008	\$43,000	\$43,000
Operating Services	\$160,190	\$288,913	\$288,913
Supplies	\$129,480	\$51,259	\$51,259
Professional Services	\$257,596	\$421,660	\$374,000
Other Charges	\$48,150,114	\$42,044,046	\$42,248,022
Debt Service	\$-	\$-	\$-
Interagency Transfers	\$182,331	\$210,642	\$242,118
Acquisitions	\$377,039	\$6,600	\$6,600
Major Repairs	\$-	\$-	\$-



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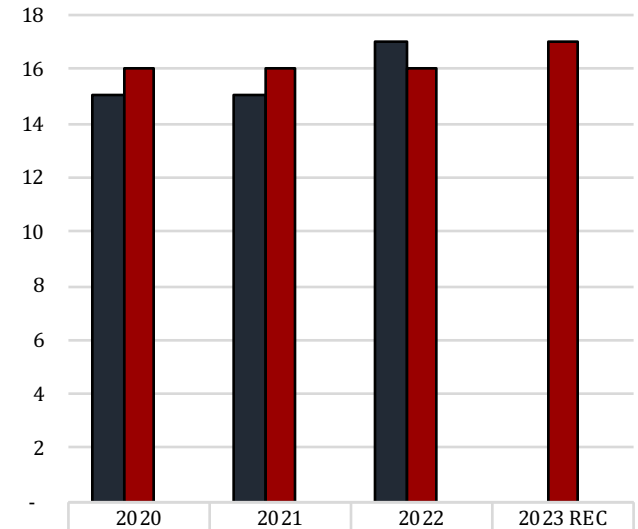
FTEs, Authorized T.O., and Other Charges Positions

**FY23 Agency Employees
as a portion of
FY23 Total Department Employees**



FY22 number of funded, but not filled,
positions as of January 31 = 1

**Number
and
Types
of
Positions**



The full-time equivalent or **FTE** definition refers to the number of hours considered full-time. For example, if an agency considers 40 hours full time, and there are two employees working 20 hours per week, those two employees would be 1.0 FTE.

Authorized Positions are those referred to in the Table of Organization (or T.O.) for each department. This count includes only those positions paid for from the Salaries expenditure category for the organization units and agencies include in each department's appropriation. This excludes positions paid for from other expenditure categories, such as wages or per diem.

Other Charges positions are authorized under R.S. 39:2(5)(b) ...

(5)(b) "Authorized other charges positions" means the number of positions in an appropriation bill to be funded by the other charges continuing category of the accounting system for the state. The number may be adjusted during a fiscal year in accordance with law.

- [Act 377 of 2013 by Rep. Burrell]
- Positions coded in the Other Charges expenditure category
- These positions are usually associated with federal grants



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Related Employment Information

Salaries and Related Benefits for the 17 Authorized Positions are listed below in Chart 1.
In Chart 2, benefits are broken out to show the portion paid for active versus retired employees.
This is where payments for the Unfunded Accrued Liability (UAL) can be found.

1.

Personal Services	2020 Actual	2021 Actual	2022 Enacted	2023 Recommended
Salaries	\$1,149,293	\$1,249,769	\$1,361,533	\$1,491,631
Other Compensation	\$28,863	\$35,958	\$151,779	\$113,549
Related Benefits	\$595,580	\$642,994	\$728,859	\$776,835
Total Personal Services	\$1,773,709	\$1,928,721	\$2,242,171	\$2,382,015

Average T.O. Salary = \$84,502

Examples of Other Compensation include pay for WAE employees, part-time employees, student workers, etc.

2.

Related Benefits FY23 Recommended	Total Funding	%
Total Related Benefits	\$776,835	
UAL payments	\$558,723	60%
Retiree Health Benefits	\$42,861	
Remaining Benefits*	\$175,251	
Means of Finance	General Fund = 0%	Other = 100%

Department Demographics	Total	%
Gender		
Female	10	67
Male	5	33
Race/Ethnicity		
White	9	60
Black	6	40
Asian	--	--
Indian	--	--
Hawaiian/Pacific	--	--
Declined to State	--	--
Currently in DROP or Eligible to Retire	1	6

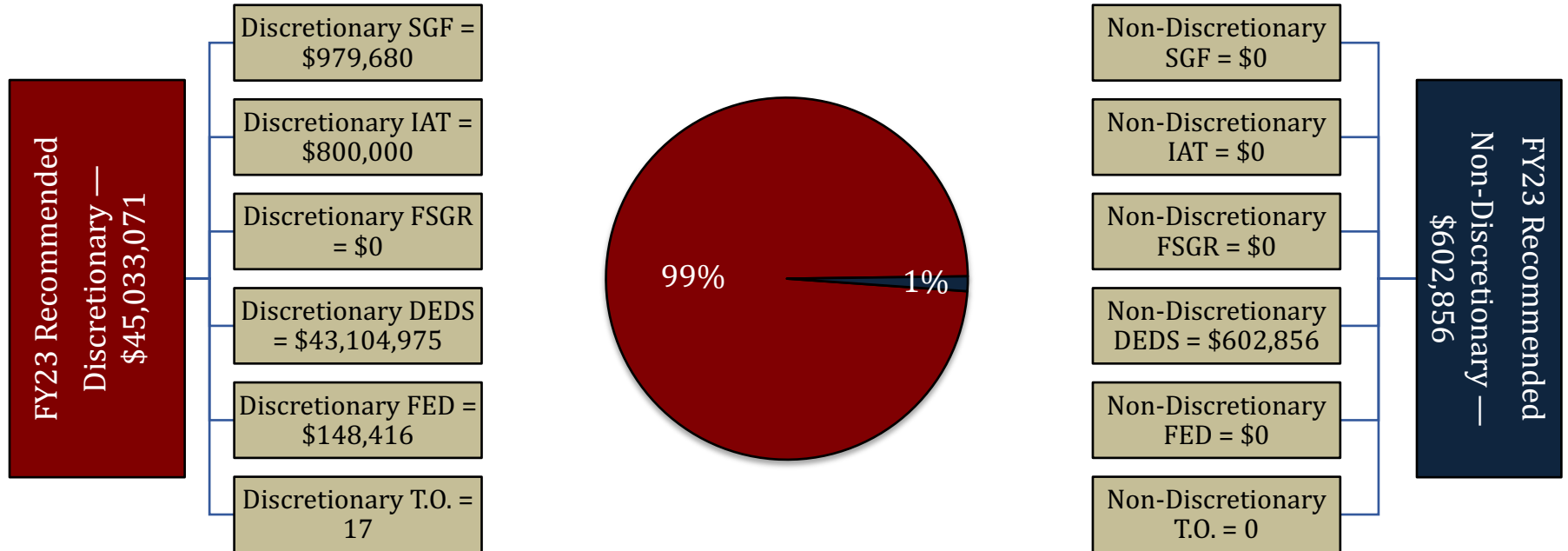
* Remaining Benefits include employer contribution to authorized positions' retirement, health, Medicare, FICA, Emoluments etc. The authorized positions include authorized T.O. positions and authorized other charges positions, both filled and vacant.

Other Charges Benefits
\$0



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FY23 Discretionary/Non-Discretionary Comparison



Total Discretionary Funding by Office		
Executive Office	\$15,085,225	0.53%
Office of Indian Affairs	\$0	0.00%
Office of Inspector General	\$1,795,038	0.06%
Mental Health Advocacy Service	\$0	0.00%
LA Tax Commission	\$4,150,194	0.14%
Division of Administration	\$1,002,903,722	34.99%
Coastal Protection and Restoration Authority	\$180,461,092	6.30%
GOHSEP	\$1,311,770,117	45.77%
Department of Military Affairs	\$102,244,031	3.57%
Louisiana Public Defender Board	\$45,033,071	1.57%
Louisiana Stadium and Exposition District	\$65,250,374	2.28%
Louisiana Commission on Law Enforcement	\$51,728,328	1.80%
Governor's Office of Elderly Affairs	\$60,968,557	2.13%
Louisiana State Racing Commission	\$13,139,237	0.46%
Office of Financial Institutions	\$11,630,091	0.41%
Total Discretionary	\$2,866,159,077	100.00%

Total Non-Discretionary Funding by Type		
Required by the Constitution (UAL)	\$ 558,723	92.68%
Needed to Pay Debt Service (Rent in State-owned Buildings)	\$ 1,272	0.21%
Needed for Unavoidable Obligations (Retirees' Group Insurance)	\$ 42,861	7.11%
Total Non-Discretionary	\$ 602,856	100.00%



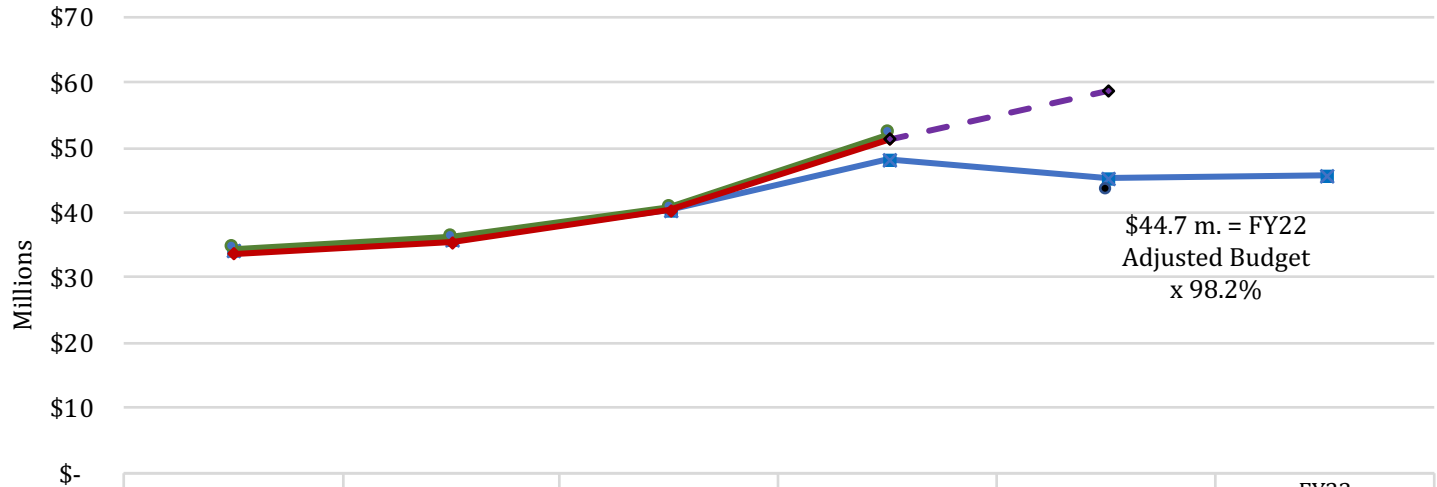
01-116 LPDB

Enacted & FYE Budget vs. Actual Expenditures FY18 to FY21

FYE Budget = "Fiscal Year End" Budget includes all in-house and regular BA-7s through June 30 of the fiscal year. For FY22, it is as of January.

FY22 Known
Supplemental Needs:
\$

FY21 General Fund
Reversions:
\$0



	FY18	FY19	FY20	FY21	FY22 EOB	FY23 Recommended
Enacted Budget	\$34,001,525	\$35,870,797	\$40,272,873	\$48,193,875	\$45,308,291	\$45,635,927
FYE Budget	\$34,390,646	\$36,168,035	\$40,804,883	\$51,973,788		
Actual Expenditures	\$33,642,905	\$35,346,228	\$40,262,709	\$51,186,479		
FY22 Expenditure Trend				\$51,186,479	\$58,650,115	

Monthly Budget Activity

	FY22 Adjusted Budget	FY22 Aggregate Expenditures	Remaining Budget Authority	Percent Expended To Date
Jul-21	\$ 45,308,291	\$ 286,303	\$ 45,021,988	0.6%
Aug-21	\$ 45,451,975	\$ 27,673,744	\$ 17,778,231	60.9%
Sep-21	\$ 45,451,975	\$ 28,791,242	\$ 16,660,733	63.3%
Oct-21	\$ 45,451,975	\$ 30,012,216	\$ 15,439,759	66.0%
Nov-21	\$ 45,451,975	\$ 31,143,908	\$ 14,308,067	68.5%
Dec-21	\$ 45,451,975	\$ 33,056,575	\$ 12,395,400	72.7%
Jan-22	\$ 45,451,975	\$ 34,212,567	\$ 11,239,408	75.3%

Monthly Budget Activity

	FY22 Adjusted Budget	FY22 Aggregate Expenditures	Remaining Budget Authority	Percent Expended To Date
<i>(Trend based on average monthly expenditures to date)</i>				
Feb-22	\$ 45,451,975	\$ 39,100,077	\$ 6,351,898	86.0%
Mar-22	\$ 45,451,975	\$ 43,987,586	\$ 1,464,389	96.8%
Apr-22	\$ 45,451,975	\$ 48,875,096	\$ (3,423,121)	107.5%
May-22	\$ 45,451,975	\$ 53,762,605	\$ (8,310,630)	118.3%
Jun-22	\$ 45,451,975	\$ 58,650,115	\$ (13,198,140)	129.0%

Historical Year End Average

98.2%



01-116 Louisiana Public Defender Board

2021 Revenues and Expenditures by District

District	Parish(es)	Total State Funds Distributed in CY21	Total Local Funds Received by Districts in CY21	Total CUFs (Conviction & User Fees) Received by Districts in CY21	Total Other Funds Received by Districts in CY21	CY21 Combined	Percent of Total Revenue Funded by CY21 State Funds Distributed	Total CY21 Expenditures	Individual District Estimated CY21 Fund Balance/Depletions	Raw Cases Handled in CY21	Total People Represented in CY21
1	Caddo	\$1,994,329	\$95,750	\$962,379	\$497	\$3,052,956	65%	\$2,964,995	\$16,344	9,730	9,730
2	Bienville, Claiborne, Jackson	\$237,604	-	\$251,369	\$7,325	\$496,297	48%	\$487,425	\$1,704	1,019	1,019
3	Lincoln, Union	\$413,387	-	\$494,613	\$9,534	\$917,534	45%	\$1,014,318	(\$96,784)	3,344	1,874
4	Morehouse, Ouachita	\$1,350,263	-	\$1,074,936	\$11,453	\$2,436,651	55%	\$2,135,001	\$9,798	6,847	6,847
5	Franklin, Richland, West Carroll	\$544,093	-	\$248,890	\$18,336	\$811,318	67%	\$786,369	\$1,503	1,349	1,349
6	East Carroll, Madison, Tensas	\$179,217	-	\$295,803	\$1,228	\$476,248	38%	\$531,890	(\$55,642)	1,957	789
7	Catahoula, Concordia	\$266,324	-	\$108,248	\$380	\$374,952	71%	\$381,721	(\$6,769)	2,940	965
8	Winn	\$227,417	-	\$91,121	\$438	\$318,976	71%	\$321,430	(\$2,454)	797	558
9	Rapides	\$804,135	-	\$490,133	\$24,453	\$1,318,721	61%	\$1,378,625	(\$59,904)	6,519	4,212
10	Natchitoches	\$219,377	-	\$269,814	-	\$489,191	45%	\$577,117	(\$87,925)	1,665	945
11	Sabine	\$328,247	-	\$60,631	-	\$388,878	84%	\$376,831	\$1,622	929	929
12	Avoyelles	\$477,374	-	\$253,437	\$21,014	\$751,825	64%	\$584,369	\$4,274	1,292	1,292
13	Evangeline	\$469,242	-	\$365,388	\$3,758	\$838,388	56%	\$743,541	\$2,180	1,558	1,558
14	Calcasieu	\$2,479,139	-	\$962,927	\$23,499	\$3,465,564	72%	\$2,446,583	\$10,805	5,891	5,891
15	Acadia, Lafayette, Vermilion	\$2,522,475	-	\$1,848,362	\$15,909	\$4,386,747	58%	\$5,056,954	(\$670,207)	17,719	10,900
16	Iberia, St. Martin, St. Mary	\$1,273,658	-	\$834,026	\$5,292	\$2,112,976	60%	\$2,025,924	\$8,076	5,744	5,744
17	Lafourche	\$825,700	-	\$336,403	\$5,785	\$1,167,887	71%	\$1,148,828	\$4,312	2,065	2,065
18	Iberville, Pointe Coupee, West Baton Rouge	\$564,290	-	\$780,380	\$3,828	\$1,348,498	42%	\$1,027,091	\$2,180	1,741	1,741
19	East Baton Rouge	\$2,958,172	\$885,965	\$1,195,367	\$124,963	\$5,164,467	57%	\$5,335,369	(\$170,902)	15,277	10,563
20	East Feliciana, West Feliciana	\$305,487	\$47,500	\$197,440	\$668	\$551,095	55%	\$568,008	(\$16,912)	1,478	795
21	Livingston, St. Helena, Tangipahoa	\$2,053,404	-	\$1,531,430	\$28,792	\$3,613,626	57%	\$3,553,753	\$13,611	9,232	9,232
22	St. Tammany, Washington	\$1,896,286	-	\$1,268,785	\$131,500	\$3,296,572	58%	\$3,176,573	\$19,081	13,868	13,868
23	Ascension, Assumption, St. James	\$629,493	-	\$785,001	\$4,675	\$1,419,169	44%	\$1,221,274	\$6,630	4,004	4,004
24	Jefferson	\$1,633,346	-	\$2,127,432	\$78,467	\$3,839,245	43%	\$3,621,045	\$19,628	12,520	12,520
25	Plaquemines	\$252,493	-	\$137,190	\$9,698	\$399,381	63%	\$372,494	\$1,370	809	809
26	Bossier, Webster	\$1,371,368	-	\$655,006	\$10,905	\$2,037,279	67%	\$2,189,395	(\$152,115)	12,746	5,436
27	St. Landry	\$610,647	-	\$531,225	\$1,962	\$1,143,834	53%	\$1,058,131	\$6,351	5,102	5,102
28	LaSalle	\$168,050	-	\$49,587	-	\$217,637	77%	\$227,508	(\$9,871)	858	509
29	St. Charles	\$307,560	-	\$687,723	\$4,472	\$999,754	31%	\$1,055,085	(\$55,331)	2,084	1,395
30	Vernon	\$453,264	-	\$383,119	\$2,636	\$839,018	54%	\$829,527	\$1,738	994	994
31	Jefferson Davis	\$248,239	-	\$257,099	\$1,261	\$506,599	49%	\$691,361	(\$184,762)	2,036	1,211
32	Terrebonne	\$887,658	-	\$640,691	\$2,470	\$1,530,818	58%	\$1,869,505	(\$338,686)	3,948	2,166
33	Allen	\$106,454	-	\$172,620	\$2,471	\$281,545	38%	\$289,534	(\$7,990)	908	766
34	St. Bernard	\$256,782	-	\$172,665	\$20,593	\$450,039	57%	\$575,285	(\$125,246)	1,620	1,130
35	Grant	\$258,200	-	\$112,338	\$635	\$371,173	70%	\$284,426	\$919	696	696
36	Beauregard	\$341,985	-	\$211,180	\$16	\$553,181	62%	\$664,633	(\$111,452)	2,047	1,153
37	Caldwell	\$209,869	-	\$54,823	-	\$264,693	79%	\$226,781	\$585	447	447
38	Cameron	\$358	-	\$128,099	\$8,727	\$137,185	0.3%	\$96,583	\$507	285	285
39	Red River	\$110,140	-	\$28,955	-	\$139,094	79%	\$152,146	(\$13,052)	639	388
40	St. John the Baptist	\$232,315	-	\$446,613	\$89,917	\$768,845	30%	\$898,520	(\$129,675)	1,960	1,189
41	Orleans	\$3,388,527	\$3,684,609	\$1,807,376	\$991,967	\$9,872,480	34%	\$8,374,249	\$19,599	11,940	11,940
42	DeSoto	\$44,079	-	\$175,678	\$228	\$219,984	20%	\$390,279	(\$170,294)	1,469	1,116
	Totals	\$33,900,446	\$4,713,824	\$23,486,302	\$1,669,748	\$63,770,320	53%	\$61,710,476	(\$2,465,974)	234,828	146,122

Source (table and notes): La. Public Defender Board Annual Report 2021.

NOTE: Because state funding is appropriated for the Fiscal Year and this report is for the Calendar Year, totals must be derived from parts of FY21 & FY22. (Individual District Estimated CY21 Fund Balance Depletion is estimated by subtracting district expenditures from combined State, Local, CUFs and Other funds.) Note also that "Other Funds" consist of various funding sources ranging from private donations to corporate and philanthropic grants. "Total State Funds Distributed in CY21" include \$208,631.99 in pass-through Title IV-E funds awarded by the federal government to the LPDB system. Also, \$56,000 were sent to District 11 in December of 2021 (reflected above, Total State Funds Distributed in CY21) but were not deposited in their account until January of 2022 and thus will not be evident in their 2021 Annual Financial Summary Report below. Finally, please note that some data in this report may change over time due to districts' future corrections or revisions.



01-116 Louisiana Public Defender Board

2021 Revenues by Source

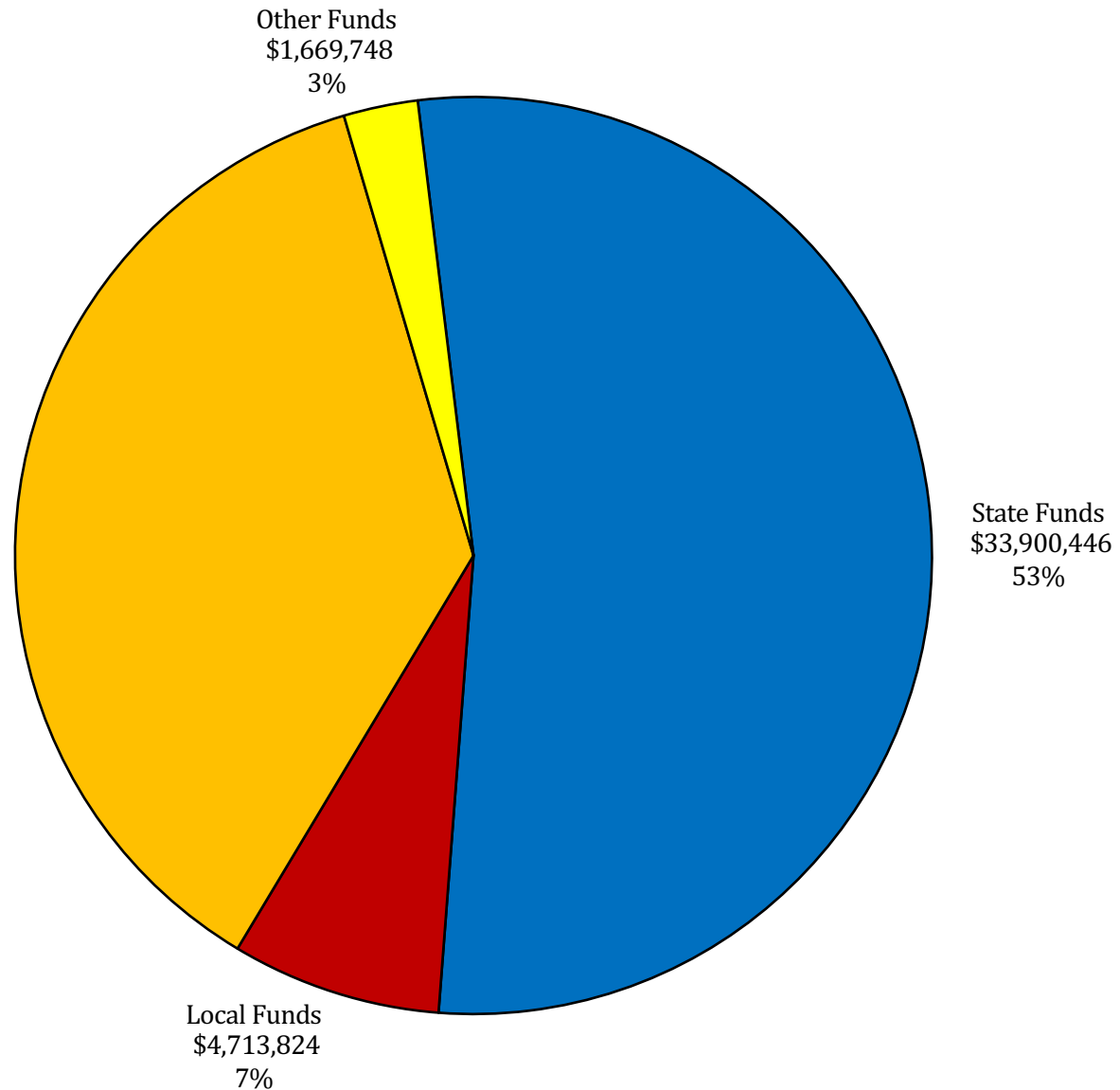
Total
\$63.8 m.

Conviction and User Fees
(CUF)
\$23,486,302
37%

Estimated Losses in CUFs

Actual Dollars Lost from
July to December 2021 vs.
July to December 2019 =
(\$2,711,817)

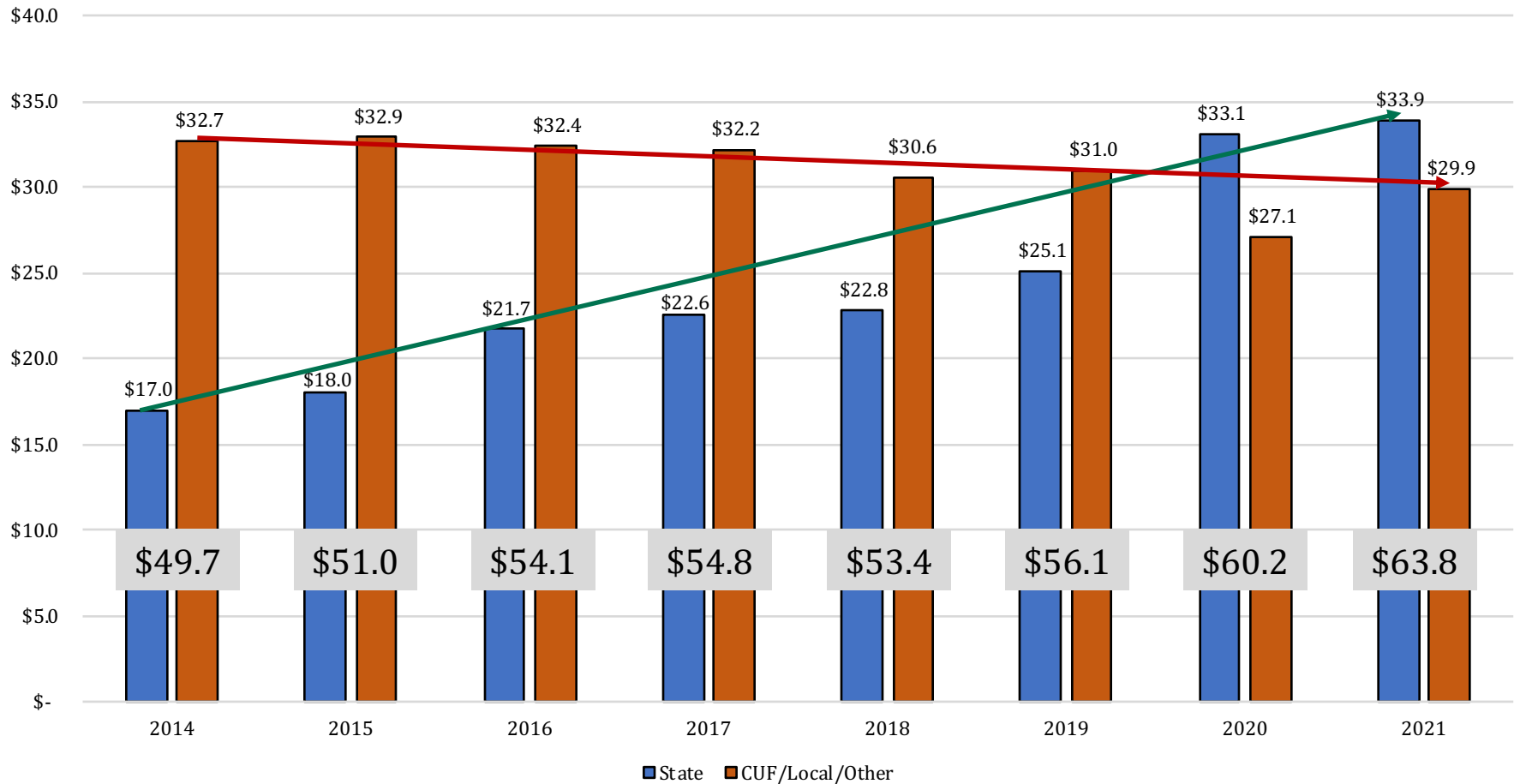
FY22 12-month Losses over
2019 (assuming districts
continue to lose/gain at the
same rates) =
(\$5,423,634)





01-116 Louisiana Public Defender Board

State and CUF/Local/Other Funding History since 2014



In \$ millions

Percent Change for State Funds from 2014 to 2021 is **+99** percent.
Percent Change for CUF/Local/Other Funds from 2014 to 2021 is **-9** percent.

Source: La. Public Defender Board Annual Reports 2014 through 2021.



01-116 Louisiana Public Defender Board

Board Recommendations for Needed Changes in the Law FY21 Expenditures in Public Defense -- \$72.9 million

Recommendations from the LPDB:

- 1) Creation of a stable, reliable, sufficient funding source for public defense.
- 2) Focus on non-carceral, rehabilitative interventions.
- 3) Preserve state resources by eliminating the death penalty as a sentencing option in current and future cases and provide for resentencing inmates currently under a sentence of death to a life sentence.
- 4) Amend 15:529.1(c) to provide for a shortened cleansing time for prior convictions to be used to enhance sentences.
- 5) Eliminate life without parole sentences for offenses committed prior to the offender turning 18 years old.
- 6) Reduce the maximum length of a custodial disposition for non-violent offenses in juvenile delinquency cases.
- 7) Provide for a presumption of indigence at continued custody hearings in Child In Need of Care (CINC) cases, for indigence to be determined thereafter for an ongoing CINC case, and for appointment of counsel in CINC cases which begin with an Instantter Safety Plan Order.
- 8) Provide relief for indigent parents from the costs of transcripts in CINC and TPR hearings for purposes of filing writs or appeals.
- 9) Incorporate the principles of child safety, as developed by DCFS and its national partners, into Title VI of the Children's Code.
- 10) Provide for public defender offices to be provided with notice of ex parte orders in CINC cases. This would facilitate earlier representation of parents in Child In Need of Care cases, better use of judicial resources, and better quality of continued custody hearings without impacting costs of representation.

Expense	FY21 Expenditures
LCLE Grant	\$ 50,000
DCFS Title IV Grant	\$ 425,299
DNA Testing	\$ 19,028
LCLE Grant CESF 20	\$ 491,860
OJJPD Enhancing Juvenile	\$ 72,917
Trial-Level Capital Programs	\$ 4,545,000
Post-Trial Capital Programs	\$ 2,785,045
Non-Capital Programs	\$ 2,221,183
Angola 5 cases	\$ 42,471
Miller Montgomery Cases	\$ 1,125,000
All District Office Expenditures	\$ 58,586,364
LPDB Office Administrative Costs	\$ 2,548,455
Total	\$ 72,912,622